IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO.1242 OF 1996

Shri Sadanand Gangaram Mistry ...Appellant

Versus

Namdeo Dhondu Adwalkar & Anr. ...Respondents

.....

Mr.B.K.Raje for Appellant.

None for Respondents.

.....

CORAM: A.M.KHANWILKAR, J.

MARCH 21, 2006.

P.C.

1. This Appeal pertains to year 1996. None appears for the Respondents though served.

2. The order which is impugned in this Appeal is dated 9th October 1996 appointing Court Receiver in respect of the suit property during the pendency of the Suit. That order has already been given effect to, as no interim order has been passed by this Court. In all probability, the Suit must have

been disposed of by now as it was filed in the year 1995. At this distance of time, I see no propriety in interfering with the interlocutory order appointing Court Receiver.

3. In the circumstances, this Appeal is disposed of with direction to the Trial Court to expeditiously dispose of the Suit preferably by end of September 2006, if the same is still pending, treating the same as High Court expedited Suit.

4. It is made clear that if there is older High Court or Supreme Court expedited matter pending on the file of the learned Judge, the same shall be given precedence and the present matter can be heard and disposed of thereafter, keeping in mind the outer limit of end of September 2006.

A.M.KHANWILKAR, J.